Instructions

Divorce - No Minor Children

Stipulation/Temporary Order

The **Stipulation/Temporary Order** is used to advise the court how you have agreed to divide your debts, obligations, support, etc. during the waiting period. Even if you and your spouse do not agree on all the issues identified in the **Stipulation/Temporary Order**, complete as many items as possible and leave the others blank. This agreement is only temporary and will not become part of your final divorce papers. You may at any time change agreements and submit another stipulation.

Caption

In the caption of the **Stipulation/Temporary Order**, print your and your spouse's full names (first name, middle initial and last name) as they appear on the **Petition/Joint Petition.**

Print the **case number** assigned to this action and mark with an **X** if this action is a **Divorce** or **Legal Separation**.

Document
Section I: Preliminary Statements

Paragraph 1: Mark an **X** in the correct boxes to indicate which party above is the **WIFE** and which is the **HUSBAND**.

Paragraph 2: No answer is required, however, BOTH PARTIES in this action must have received the **Summons** & **Petition/Joint Petition** to continue with this action.

Paragraph 3: Print the number of **adult** children you and your spouse have in the first blank. If none, print the number **0**.

This set of forms is for parties who have NO minor children. If you and your spouse have minor children, you must STOP completing this set of forms and complete the forms labeled Divorce-With Minor Children.

Paragraph 4: For each party, list **monthly** gross and net (what you take home after taxes) earnings.

Section II: Stipulation

The following paragraphs outline for the court what agreements you and your spouse have made with regard to maintenance, debts, and/or property. Leave blank those items you have not yet come to an agreement about.

Paragraphs 1A-C: If you have agreed that neither party should pay maintenance, mark an **X** in 1A. If you choose to waive the right to **temporary** maintenance, you may still request that a court award maintenance at the time of the final hearing or trial. If the wife will temporarily be paying maintenance, mark an **X** in 1B. If the husband will temporarily be paying maintenance, mark an **X** in 1C. You must also indicate the payer's employer contact information in the payment section in 1D. For options 1B and/or 1C, give the amount that should be paid each month and the starting and ending dates for such payments. You may agree that maintenance be paid until a specific date or until further court order.

Paragraphs 1D: If at least one party will be paying maintenance, indicate the terms of the payment. Indicate whether the payments will be <u>mailed directly</u> to the Wisconsin Support Collections Trust Fund (WI SCTF) or <u>paid by income assignment</u> (income withholding). If payments will be made by income assignment, indicate contact information for the payer's employer.

Paragraphs 2A-B: Read each statement carefully and mark with an **X** which party will provide the items described for the parties.

Paragraph 2C: Read, and be sure to inform the court of any changes in health insurance availability.

Paragraph 2D: Mark with an **X** which party will pay for uninsured medical expenses (not including non-prescription medications) of the parties.

Paragraph 3: Read, and make note of the terms of the agreement.

Paragraphs 4 A-C: If there are no marital debts or obligations, mark an **X** in 4A. If there are marital debts and obligations and you have agreed which party will be responsible for payment, indicate the creditor's name and the amount to be paid each month. Indicate in 4C the date on which each party will start paying his or her own new debts. Remember, the agreement that is made in this document is only between you and your spouse, and does not affect the rights of those who gave you credit while you were married.

Paragraphs 5A-B: For each party, indicate with an **X** each type of property **the party will have temporary use of** and give the description requested for each item. If there is not enough space for any of the items, attach an additional sheet.

Paragraphs 6A-B: Mark an **X** in 6A if you do not own or rent a residence. If you do own or rent a residence, mark an **X** in 6B. You must list your primary address **and** mark only one with an **X** for options 1-4.

Paragraph 7: The IRS and WI Department of Revenue rules govern how individuals have to file their tax returns for the year of the divorce. Contact an accountant familiar with Federal and State tax regulations.

Paragraphs 8-11: Read carefully.

Paragraph 12: Read, and be sure to inform the Clerk of Courts **within ten (10) days** of any changes in your employer or address.

Paragraph 13: Use the space provided to list any agreements you and your spouse came to that have not been described in paragraphs 1-12. If there are no additions, write none. If additional space is needed, attach a sheet of paper and continue

Signatures
Both parties must sign and date the document.

Procedural Checklist

1. ☐ Complete the **Stipulation/Temporary Order** form**.**

2. ☐ You may go to the Family Court Self-Help Center, Courthouse Room C-108, to have your forms reviewed for completeness.

3. ☐ Complete the original **Stipulation/Temporary Order** form and make three (3) copies**.** You must also prepare two self-addressed <u>stamped</u> envelopes (one addressed to you and one addressed to the other party).

4. ☐ Go to the Family Court Office's Cashier/Reception desk, Room C-112, and file the original **Stipulation/Temporary Order**, three copies, and the envelopes addressed to the appropriate parties.

5. ☐ The court will review the documents and either:

   ☐ approve and send each party a copy of the signed **Stipulation/Temporary Order** (if you provided the self-addressed stamped envelopes), which will make this document an enforceable court order.
   or
   ☐ not approve and will return the order to you.